

Honorable Members of the Judiciary Committee,

I OPPOSE Bill 6355 An Act Concerning Risk Protection Orders Or Warrants. This updated version of the "Risk Protection Orders" removes one of the protections of ensuring that the allegation is based in fact. Removing that, 2 officers must complete an investigation first. In *Mullane v. Central Hanover Bank*, the 14th Amendment was used to ensure that Due Process requires at a minimum (1) notice; (2) an opportunity to be heard; and (3) an impartial tribunal before property is taken.

This bill casts its net too wide in terms of who is considered a credible source for creating these warrants to use on an individual. Under this bill, a bitter significant other or a neighbor that does not like you could one day decide to make false claims about you that could lead to one of these risk warrants being issued for you. That is not acceptable. These risk warrants should be limited to immediate family and qualified medical doctors in the mental health field who can provide evidence that an individual is a risk to themselves or others.

If the risk is so great, why is this bill removing 24/7 contact with a Judge after an investigation is completed by police? Is this not creating a higher risk for those who it is trying to protect? Taking away the police involvement at the time is critical for the defense of all involved. Allowing anyone to go to a State Attorney during only court hours dampens the issue that is "Impending life-threatening just cause." Furthermore, if the person is such a risk, a 48-hour psychological evaluation should be ordered for the immediacy of mental health and the first step to adjudicate as mentally ill to remove the firearms.

I strongly oppose the issue that you have to petition the court to get your firearms back. This creates an undue financial burden being imposed for seizing firearms. The proposed law does not have any mechanism to return the firearms under a false allegation were made to remove the firearms. No allowance for those firearms which were grandfathered under the previous law to be returned to the original owner, thus depriving the value of property the person purchased.

I SUPPORT Bill 6491 An Act Concerning Nonlethal Electronic Defense Weapons. In *Caetano v. Massachusetts*, 577 U.S. ____ (2016) SCOTUS ruled "the Second Amendment extends, prima facie, to all instruments that constitute bearable arms, even those that were not in existence at the time of the founding" and that "the Second Amendment right is fully applicable to the States".[6] The term "bearable arms" was defined in *District of Columbia v. Heller*, 554 U.S. 570 (2008) and includes any "[w]eapo[n] of offense" or "thing that a man wears for his defense, or takes into his hands," that is "carr[ie]d . . . for the purpose of offensive or defensive action." 554 U. S., at 581, 584 (internal quotation marks omitted)." Connecticut needs to fall in line with SCOTUS decision.

Thank you,

Matthew Winters

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